

11-12-03

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091078.0554

PATENT  
09/074,496



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James R. Albritton  
Serial No.: 09/074,496  
Filing Date: May 7, 1998  
Group Art Unit: 3679  
Examiner: John R. Cottingham  
Title: **BREAKAWAY SUPPORT POST FOR HIGHWAY  
GUARDRAIL END TREATMENTS**

**RECEIVED**  
DEC 02 2003  
**GROUP 3600**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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shown below.

*Jay Howard*  
Jay Howard

11-10-03  
Date

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the reference listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. A copy of the reference is enclosed for the Examiner's convenience.

Applicant received an Office Action mailed October 9, 2003, in co-pending U.S. Patent Application Serial Number 10/442,843 filed May 21, 2003 where the Office Action cited a new reference to the co-pending application. Therefore, Applicant submits this newly cited reference for the

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Examiner's review and consideration in this application.  
Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), no representation is made that this reference is material to the patentability of the present application.

Applicant encloses a check in the amount of \$180.00 and believes no further fees are due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.



Thomas R. Felger  
Reg. No. 28,842

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Date: 10 NOV 2003